

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:19-cr-172-FtM-38MRM

STEVEN THOMAS BARYLA

PRELIMINARY ORDER OF FORFEITURE¹

Before the Court, pursuant to 18 U.S.C. § 2253, and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, is the United States' Motion for Preliminary Order of Forfeiture. ([Doc. 88](#)). The United States seeks a preliminary order forfeiting Defendant Steven Thomas Baryla's interest in **Apple iPhone X, serial number F17WLKXRJCLF**, which was used or intended to be used to promote the commission of the violation charged in Count One of the Indictment. ([Doc. 1](#)).

Count One of the Indictment charged Baryla with possession of child pornography, in violation of 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2). ([Doc. 1](#)). Baryla appeared before United States Magistrate Judge Mac R. McCoy on January 15, 2021 and entered a plea of guilty to Count One of the Indictment. ([Doc. 85](#)). On January 19, 2021, the undersigned United States District Court

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Judge accepted his plea and adjudicated Baryla guilty; his sentencing is currently scheduled for April 19, 2021. ([Doc. 86](#)).

In his plea agreement, Baryla admits to the factual basis of the offense charge which establishes that he (Baryla) was in possession of child pornography that he (Baryla) obtained from the internet by way of his cellular phone. ([Doc. 83](#)).

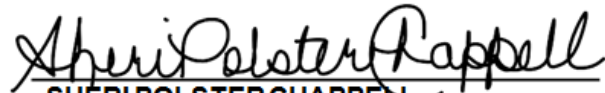
The Court finds that the Government has established the nexus between the asset identified herein and the offense of conviction and is entitled to the forfeit property. Therefore, the United States' Motion for Preliminary Order of Forfeiture ([Doc. 88](#)) of **Apple iPhone X, serial number F17WLKXRJCLF** is **GRANTED**.

Pursuant to 18 U.S.C. § 2253 and Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, the asset is **FORFEITED** to the United States of America for disposition according to law, subject to the provisions of 21 U.S.C. § 853(n), as incorporated by 28 U.S.C. § 2461(c).

This forfeiture order as to Defendant, Steven Thomas Baryla **SHALL** become final at the time it is entered.

The Court retains jurisdiction to complete the forfeiture and disposition of the asset sought by the government.

DONE AND ORDERED in Fort Myers, Florida on January 27, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record